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United States and International
Intellectual Property Law**FACSIMILE TRANSMITTAL****DATE:** July 25, 2002**Please deliver the following pages to:****NAME(s):** Mr. Patrick Ryan**COMPANY:** USPTO - Petitions Office**Telecopier No.:** (703) 306-6916**From:** Jody L. Factor**Total Number of Pages** 6 **(including this cover sheet)****Direct Line to Sender's Machine:** (312) 226-1919**Operator's Telephone Number:** (312) 226-1818

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PETITIONS OFFICE

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REMARKS:**CONFIRMATION UPON RECEIPT IS GREATLY APPRECIATED**

**IN THE
UNITED STATES
PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Winter

CASE: POW-011209

SER. NO.: 09/997,724

FILING DATE: November 30, 2001

FOR: LEAK SENSOR FOR FLOWING
ELECTROLYTE BATTERIES

**SUPPLEMENTAL
PETITION UNDER
37 CFR 1.47(a)**

**ASSISTANT COMMISSIONER
FOR PATENTS
Washington, D.C. 20231**

ATTENTION OF:

EXAMINER:

Dear Sir or Madam:

If any charges or fees must be paid in connection with the following communication, they may be paid out of our Deposit Account No. 50-0545.

REMARKS

This is to supplement the Petition to Revive under 37C.F.R. 1.47(a), relative to the above-identified application, filed on February 6, 2002.

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PETITIONS OFFICE

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1327 West Washington Blvd
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(312) 226-1818 Telephon**

Jody L. Factor

34157

The Petition under 37 C.F.R. 1.47(a), filed on February 6, 2002, stated that the joint inventor, Rick Winter, refused to execute the Declaration and Power of Attorney. Since the time of filing the Petition, Mr. Winter has executed the Declaration and Power of Attorney, copies of which are attached hereto (Exhibit A).

Accordingly, Applicant hereby requests the previous Petition under 37 C.F.R. 1.47(a), filed on February 28, 2002, be held moot as all of the inventors have now executed the application.

Applicant notes that the original Petition was filed concurrently with a Response to the Notice to File Missing Parts, wherein all outstanding requirements were satisfied. Furthermore, as all requisite fees were paid in connection with the Petition and Notice, no fees are enclosed herewith.

In light of the above, it is respectfully submitted that the application is now in condition for examination and allowance of the Petition is requested.

Should anything further be required, a telephone call to the undersigned at (312) 226-1818 is respectfully solicited.

Respectfully submitted,

FACTOR & PARTNERS, LLC

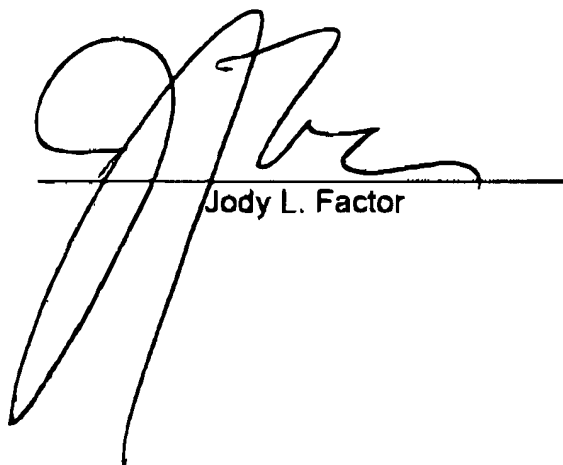


Jody L. Factor
One of Attorneys for Applicant

Dated: July 25, 2002

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being faxed to The United States Patent and Trademark Office, Attn: Patrick Ryan at 703-308-6916 on July 25, 2002.



Jody L. Factor

PTO/SB/01 (03-01)

Applicable for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**☐

Declaration

Submitted OR
with Initial
Filing☒

Declaration

Submitted after Initial
Filing (surcharge
(37 CFR 1.16 (e))
required)

Attorney Docket Number

011208

First Named Inventor

Winter et al.

COMPLETE IF KNOWN

Application Number

09/997,724

Filing Date

November 30, 2001

Group Art Unit

Examiner Name

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JUL 25 2002

As a below named inventor, I hereby declare that:

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My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Leak Sensor For Flowing Electrolyte Batteries

(Title of the invention)

the specification of which

☐

is attached hereto

OR

☒

was filed on (MM/DD/YYYY)

11/30/2001

as United States Application Number or PCT International

Application Number

09/997,724

and was amended on (MM/DD/YYYY)

(If applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

(Page 1 of 2)

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.


EXHIBIT A

PTO/SB/01 (03-01)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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DECLARATION — Utility or Design Patent Application.

Direct all correspondence to:		<input checked="checked" type="checkbox"/> Customer Number or Bar Code Label		OR	<input type="checkbox"/> Correspondence address below
		22876 PATENT TRADEMARK OFFICE			
Name Jody L. Factor					
Address 1327 W. Washington Blvd., Suite 5G/H					
City Chicago		State IL		ZIP 60607	
Country USA		Telephone (312) 226-1818		Fax (312) 226-1919	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.					
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any]) Richard		Family Name or Surname Winter			
Inventor's Signature <i>Rich Datz</i>				Date 051702	
Residence: City Livermore		State CA		Country USA	
Citizenship US					
Mailing Address 6724#C Preston Ave.					
City Livermore		State CA		ZIP 94550	
Country USA					
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any]) Gerd		Family Name or Surname Tomazic			
Inventor's Signature				Date	
Residence: City Murzzuschlag		State		Country Austria	
Citizenship AT					
Mailing Address 10 Bleckmannngasse					
City Murzzuschlag		State		ZIP A-8680	
Country Austria					
<input type="checkbox"/> Additional inventors are being named on the ____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.					